

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Kevin Scott Karsjens, David Leroy Gamble, Jr., Kevin John DeVillion, Peter Gerard Lonergan, James Matthew Noyer, Sr., James John Rud, James Allen Barber, Craig Allen Bolte, Dennis Richard Steiner, Kaine Joseph Braun, Brian Christopher John Thuringer, Kenny S. Daywitt, Bradley Wayne Foster, and Brian K. Hausfeld and others similarly situated,

Plaintiffs,

vs.

Lucinda Jesson, Dennis Benson, Kevin Moser, Tom Lundquist, Nancy Johnston, Jannine Hébert, and Ann Zimmerman, in their individual and official capacities,

Defendants.

Civil File No. 11-cv-3659 (DWF/JJK)

**DEFENDANTS' EXHIBIT LIST
AND OBJECTIONS TO
PLAINTIFFS' EXHIBITS**

Pursuant to the Court's November 7, 2014 order and further directions, Defendants submit the following exhibit list and objections to Plaintiffs' lists.

DEFENDANTS' EXHIBIT LIST

Defendants reserve the right to introduce or otherwise use at trial any document identified in Plaintiffs' exhibit list, reserve the right to introduce or otherwise use any document not identified herein for purposes of rebuttal or impeachment, and reserve the right to move to introduce exhibits not identified herein to respond to new material information or circumstances.

Defendants also have several motions in limine pending and those motions will also affect the admissibility of some of the parties' exhibits. Defendants' objections and its own exhibit list is not a waiver of those previously asserted motions. In addition and because Defendants do not know how Plaintiffs will actually put in their case, Defendants reserve the right to assert objections based on Plaintiffs' actual use of the documents at trial, and reserve the right to object to the admission of documents on either parties' exhibit list on any grounds permitted under the Federal Rules of Evidence. In particular, by designating documents identified by Plaintiffs on their exhibit list, Defendants in no way concede that such documents are admissible if also offered by Plaintiffs. Defendants reserve the right to amend or supplement this exhibit list based on Plaintiffs' case. Defendants further object under Federal Rule of Evidence 106 to any incomplete or partial exhibits. Defendants reserve the right to object to any physical or demonstrative exhibits following their inspection.

Def.'s Ex. #	Description and Date of Document	Plaintiffs' Ex. No.	Plaintiffs' Objections
1	Treatment Overview Policy 203.005 (effective 5/6/2014)	201	
2	2014 Clinician's Guide (AEO)	207	
3	2013 Clinicians Guide 1-2013 (AEO)		
4	2014 Program Theory Manual		
5	2013 Program Theory Manual	206	
6	Matrix Factor Scoring Manual		
7	Treatment Progression Policy 203.010		
8	Matrix Cards Phase I		
9	Matrix Cards Phase II		
10	Matrix Cards Phase III		
11	Vocational Programming Policy 104.600		
12	Phase I Module Matrix		
13	Phase Level Summary		
14	MSOP Phases Slide		

15	MSOP Phase Level Comparison Chart	295	
16	MSOP Phase Progression Numbers 2011-2014	297	
17	Phase Level Progression/Regression	296	
18	706 Experts' Report	255	
19	2011 Site Visit Report	46	
20	2012 Site Visit Report	43	
21	2013 Site Visit Report	9	
22	Johnston Response to 2012 Site Visit Report	92	
23	2014 Site Visit Report Part 1		
24	2014 Site Visit Report Part 2		
25	MPET Report 2-13-2013	48	
26	Johnston Response to MPET Report 3-21-2013	68	
27	Jumper & Carabello Report 12-12-2014		F.R.E. 801, 802
28	Jumper & Carabello Reply 12-19-2014		F.R.E. 801, 802
29	Office of Legislative Auditor Report 3-2011		
30	MSOP Update to Legislative Auditor 4-8-2013	95	
31	Minn. Stat. Ch. 253D	195	
32	Call v. Gomez, 535 N.W.2d 312 (Minn. 1995)		F.R.E. 402, 403
33	SRB Policy 203.060	230	
34	SRB Petition Form		
35	Policy Development and Maintenance Policy 100.100		
36	Client Telephone Use Policy 302.210		
37	Client Movement Policy 300.050	161	
38	Therapeutic Recreation Programming Policy 204.050		
39	Yard Use Policy 302.330	242	
40	Visiting Policy 302.100	240	
41	CPS Client Visits Policy 602.100		
42	Spiritual Practices Policy 302.300		
43	Client Mail Policy 302.030	160	
44	Searches-Clients Policy 301.010		
45	Searches-Areas Policy 301.011		
46	Transports Policy 301.090	239	
47	Use of Force and Restraints Policy 301.080		
48	Client Behavioral Expectations Policy 303.010		
49	Behavioral Expectation Handbook Policy 303.010A		
50	High Security Area Policy 301.087		
51	Media Possession by Clients Policy 302.230	185	
52	Media Possession by CPS Clients Policy 602.230	186	
53	Client Hygiene Dress Code Policy 303.020	159	
54	Contraband Policy 301.030		
55	Client Property Policy 302.250	162	
56	CPS Client Property Policy 602.300	171	

57	Client Social Welfare Policy 104.3000		
58	Searches-Areas Policy 301.011 (Duplicate of DEF #45)		
59	Transports Policy 301.090 (Duplicate of DEF #46)	239	
60	Admission Policy 202.100		
61	CPS Policy 601.010		
62	Client Placement Policy 202.010		
63	Client Rights and Responsibilities Policy 100.300 (updated 11/4/2014)	292	
64	Grievances Policy 303.100 (updated 11/4/2014)	291	
65	Program Licensing and Oversight Policy 100.200		
66	Plaintiffs' Responses to Defs' 1st Set of Interrogatories 6-18-2014	110	
67	Plaintiffs Supp. Responses to Defs' 1st Set of Interrogatories 9-3-2014	151	
68	Plaintiffs' 2d Supp. Responses to Defs' 1st Set of Interrogatories 11-7-2014	37	
69	Plaintiffs' 3d Supp. Responses to Defs' 1st Set of Interrogatories 12-12-2014	216	
70	Plaintiffs' 4th Supp. Responses to Defs' 1st Set of Interrogatories 1-8-2015		
71	Request for Proposals for Private Contractors 8-1-2013		
72	Trainings Summary		We have not yet received this document in a form we can review and thus reserve the right to make objections.
73	Jesson SRB Order 5-13-2013		
74	Rule 26 Variance		
75	Order re Judicial Appeal Panel Appointments 9-8-2014		
76	Order re Judicial Appeal Panel Appointments 6-26-2013		
77	SRB & Judicial Appeal Panel Reimbursement Rates 2014		
78	Minn. Judicial Branch letter to Commissioner Jesson 1-25-2012		
79	2011 Annual Performance Report	197	
80	2012 Annual Performance Report		
81	2013 Annual Performance Report	198	
82	MSOP Quarterly Treatment Program Report 2010 Q1		
83	MSOP Quarterly Treatment Program Report 2010		

	Q2		
84	MSOP Quarterly Treatment Program Report 2010 Q3		
85	MSOP Quarterly Treatment Program Report 2010 Q4		
86	MSOP Quarterly Treatment Program Report 2011 Q1		
87	MSOP Quarterly Treatment Program Report 2011 Q2		
88	MSOP Quarterly Treatment Program Report 2011 Q3		
89	MSOP Quarterly Treatment Program Report 2011 Q4		
90	MSOP Quarterly Treatment Program Report 2012 Q1		
91	MSOP Quarterly Treatment Program Report 2012 Q2		
92	MSOP Quarterly Treatment Program Report 2012 Q3		
93	MSOP Quarterly Treatment Program Report 2012 Q4		
94	MSOP Quarterly Treatment Program Report 2013 Q1		
95	MSOP Quarterly Treatment Program Report 2013 Q2		
96	MSOP Quarterly Treatment Program Report 2013 Q3		
97	MSOP Quarterly Treatment Program Report 2013 Q4		
98	MSOP Quarterly Treatment Program Report 2014 Q1		
99	MSOP Quarterly Treatment Program Report 2014 Q2		
100	MSOP Quarterly Treatment Program Report 2014 Q3		
101	MSOP Quarterly Treatment Program Report 2014 Q4		
102	Karsjens Commitment Order 2-9-2010		F.R.E. 801, 802, 402, 403
103	Karsjens Individual Treatment Plan 12-18-2013 (confidential)	302	F.R.E. 402 and 403 to the extent it addresses offense history
104	Karsjens Quarterly Progress Report 4-14-2014 (confidential)	302	F.R.E. 402 and 403 to the extent it addresses offense history

105	Karsjens Quarterly Progress Report 7-14-2014 (confidential)	302	F.R.E. 402 and 403 to the extent it addresses offense history
106	Karsjens Quarterly Progress Report 9-30-2014 (confidential)	302	F.R.E. 402 and 403 to the extent it addresses offense history
107	Karsjens Annual Treatment Report 12-31-2013 (confidential)	302	F.R.E. 402 and 403 to the extent it addresses offense history
108	Karsjens Annual Treatment Report 1-12-2015 (confidential)	302	F.R.E. 402 and 403 to the extent it addresses offense history
109	Karsjens Mental Status Examination (Karsjens Dep. Ex. 3) (confidential)	302	F.R.E. 402 and 403 to the extent it addresses offense history
110	Karsjens Progress Note 4-27-2012 (confidential)	302	F.R.E. 402 and 403 to the extent it addresses offense history
111	Karsjens Progress Note 9-25-2012 (confidential)	302	F.R.E. 402 and 403 to the extent it addresses offense history
112	Braun Commitment Order		F.R.E. 402, 403, 801, 802
113	Braun Quarterly Report 3-7-2014 (confidential)	301	F.R.E. 402 and 403 to the extent it addresses offense history
114	Braun Quarterly Report 9-30-2014 (confidential)	301	F.R.E. 402 and 403 to the extent it addresses offense history
115	Braun Quarterly Report 12-17-2014 (confidential)	301	F.R.E. 402 and 403 to the extent it addresses offense history
116	Braun Annual Report 4-30-2014 (confidential)	301	F.R.E. 402 and 403 to the extent it addresses offense history
117	Braun Individual Treatment Progress Report 4-22-11 (confidential) (Duplicate of DEF #122)	301	F.R.E. 402 and 403 to the extent it addresses offense history
118	Braun Individual Treatment Plan 4-13-2010 (confidential)	301	F.R.E. 402 and 403 to the extent it addresses offense history
119	Braun Individual Treatment Plan 3-29-2011 (confidential)	301	F.R.E. 402 and 403 to the extent it addresses offense history
120	Braun Individual Treatment Plan 4-29-13	301	F.R.E. 402 and 403 to

	(confidential)		the extent it addresses offense history
121	Braun Progress Note 1-9-2013 (confidential)	301	F.R.E. 402 and 403 to the extent it addresses offense history
122	Braun Progress Report 4-22-2011 (confidential)	301	F.R.E. 402 and 403 to the extent it addresses offense history
123	Buse Commitment Order 7-11-1997 (confidential)		F.R.E. 402, 403, 801, 802
124	Buse Initial Social History Assessment 8-3-1997 (confidential)		F.R.E. 402, 403, 801, 802
125	Buse Quarterly Progress Report 11-28-2012 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
126	Buse Quarterly Progress Report 2-28-2013 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
127	Buse Sex Offender Assessment 5-5-2012 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
128	Buse Individual Treatment Plan 8-28-2012 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
129	Buse Individual Treatment Plan 9-9-2013 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
130	Gamble Commitment Order 6-7-2010 (confidential)		F.R.E. 402, 403, 801, 802
131	Gamble Individual Treatment Plan 12-28-2009 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
132	Gamble Individual Treatment Plan 5-18-2010 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
133	Gamble Individual Treatment Plan 12-28-2010 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
134	Gamble Individual Treatment Plan 12-28-2011 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
135	Gamble Individual Treatment Plan 2-27-2013 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
136	Gamble Individual Treatment Plan 1-14-2014		F.R.E. 402 and 403 to

	(confidential)		the extent it addresses offense history
137	Gamble Quarterly Progress Report 3-15-2011 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
138	Gamble Quarterly Progress Report 9-15-2011 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
139	Gamble Quarterly Progress Report 3-15-2012 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
140	Gamble Quarterly Progress Report 9-15-2012 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
141	Gamble Quarterly Progress Report 3-15-2013 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
142	Gamble Quarterly Progress Report 4-2-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
143	Gamble Quarterly Progress Report 8-13-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
144	Gamble Quarterly Progress Report 10-10-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
145	Gamble Annual Treatment Report 2-6-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
146	Gamble Annual Treatment Report 1-8-2015 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
147	DeVillion Commitment Order 5-7-1991		F.R.E. 402, 403, 801, 802
148	DeVillion Commitment Order 7-16-1990		F.R.E. 402, 403, 801, 802
149	DeVillion Administrative Restriction Memos (DeVillion Dep. Ex. 8) (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
150	DeVillion Individual Treatment Plan 7-25-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
151	DeVillion Individual Treatment Plan 1-8-2013 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history

152	DeVillion Quarterly Progress Report 11-17-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
153	DeVillion Quarterly Progress Report 8-15-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
154	DeVillion Quarterly Progress Report 7-15-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
155	DeVillion Annual Treatment Report 4-11-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
156	DeVillion Group Note 2-19-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
157	DeVillion Group Note 5-15-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
158	Lonergan Initial Commitment Assessment 2-12-2007 (confidential)		F.R.E. 402, 403, 801, 802 FRCP 26 (improper attempt to submit expert testimony by a non-expert)
159	Lonergan Psychological Evaluation 9-12-2007 (confidential)	303	F.R.E. 402, 403, 801, 802 FRCP 26 (improper attempt to submit expert testimony by a non-expert)
160	Lonergan Commitment Order 1-9-2008		F.R.E. 402, 403, 801, 802
161	Lonergan Commitment Order 5-13-2009 (Duplicate of DEF #160)		F.R.E. 402, 403, 801, 802
162	Lonergan BER 5-19-2014 (confidential)	303	F.R.E. 402 and 403 to the extent it addresses offense history
163	Lonergan Individual Treatment Plan 3-27-2014 (confidential)	303	F.R.E. 402 and 403 to the extent it addresses offense history
164	Lonergan Quarterly Progress Report 3-17-2012 (confidential)	303	F.R.E. 402 and 403 to the extent it addresses offense history
165	Lonergan Quarterly Progress Report 6-17-2012 (confidential)	303	F.R.E. 402 and 403 to the extent it addresses

			offense history
166	Lonergan Quarterly Progress Report 12-17-2013 (confidential)	303	F.R.E. 402 and 403 to the extent it addresses offense history
167	Lonergan Quarterly Progress Report 4-17-2014 (confidential)	303	F.R.E. 402 and 403 to the extent it addresses offense history
168	Lonergan Quarterly Progress Report 6-19-2014 (confidential)	303	F.R.E. 402 and 403 to the extent it addresses offense history
169	Lonergan Quarterly Progress Report 8-22-2014 (confidential)	303	F.R.E. 402 and 403 to the extent it addresses offense history
170	Lonergan Annual Treatment Report 10-24-2014 (confidential)	303	F.R.E. 402 and 403 to the extent it addresses offense history
171	Lonergan Annual Treatment Report 11-5-2013 (confidential)	303	F.R.E. 402 and 403 to the extent it addresses offense history
172	Lonergan Group Progress Note 6-10-2014 (confidential)	303	F.R.E. 402 and 403 to the extent it addresses offense history
173	Lonergan Group Progress Note 7-15-2013	303	F.R.E. 402 and 403 to the extent it addresses offense history
174	Lonergan Group Progress Note 1-9-2013 (confidential)	303	F.R.E. 402 and 403 to the extent it addresses offense history
175	Lonergan BER Hearing Findings Report 2-20-2014 (confidential)	303	F.R.E. 402 and 403 to the extent it addresses offense history
176	Noyer Commitment Order 7-16-2004 (confidential)		F.R.E. 402, 403, 801, 802
177	Noyer Commitment Order 5-3-20014 (confidential)		F.R.E. 402, 403, 801, 802
178	Noyer Notice of Adult Release Violation(s) and Right to Hearing 4-18-2005 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
179	Noyer MSOP Media Review Form (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
180	Noyer MSOP Progress Note 1-11-2013 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
181	Noyer MSOP Progress Note dated 8-22-2012		F.R.E. 402 and 403 to

	(confidential)		the extent it addresses offense history
182	Noyer MSOP Individual Treatment Plan 4-10-2012 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
183	Noyer Psychological Report 4-28-2004 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
184	Noyer Individual Treatment Plan 8-15-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
185	Noyer Quarterly Progress Report 6-6-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
186	Noyer Quarterly Progress Report 9-25-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
187	Noyer Quarterly Progress Report 12-9-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
188	Noyer Annual Treatment Report 3-14-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
189	Rud Commitment Order 9-23-2010		F.R.E. 402, 403, 801, 802
190	Rud Commitment Order 7-9-2010		F.R.E. 402, 403, 801, 802
191	Rud Individual Treatment Plan 8-30-2013 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
192	Rud Individual Treatment Plan 11-1-2010 (confidential)		N F.R.E. 402 and 403 to the extent it addresses offense history
193	Rud SRB Treatment Report 8-23-2010 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
194	Rud Individual Treatment Plan 11-5-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
195	Rud Quarterly Progress Report 2-18-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
196	Rud Quarterly Progress Report 5-27-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses

			offense history
197	Rud Quarterly Progress Report 10-30-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
198	Rud Annual Treatment Report 8-16-2013 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
199	Rud Annual Treatment Report 7-25-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
200	Rud Group Progress Note 5-23-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
201	Barber Commitment Order 9-13-2004		F.R.E. 402, 403, 801, 802
202	Barber Individual Treatment Plan 12-4-2012 (confidential)	299	F.R.E. 402 and 403 to the extent it addresses offense history
203	Barber Individual Treatment Plan 12-23-2014 (confidential)	299	F.R.E. 402 and 403 to the extent it addresses offense history
204	Barber Quarterly Progress Report 9-23-2014 (confidential)	299	F.R.E. 402 and 403 to the extent it addresses offense history
205	Barber Quarterly Progress Report 5-3-2014 (confidential)	299	F.R.E. 402 and 403 to the extent it addresses offense history
206	Barber Quarterly Progress Report 7-2-2014 (confidential)	299	F.R.E. 402 and 403 to the extent it addresses offense history
207	Barber Annual Treatment Report 1-22-2014 (confidential)	299	F.R.E. 402 and 403 to the extent it addresses offense history
208	Barber Treatment Memos (Barber Dep. Ex. 12) (confidential)	299	F.R.E. 402 and 403 to the extent it addresses offense history
209	Barber Heath Quarterly Assessment 8-5-2014 (confidential)	299	F.R.E. 402 and 403 to the extent it addresses offense history
210	Bolte Commitment Order 5-17-2007		F.R.E. 402, 403, 801, 802
211	Bolte Psychological Assessment 1-13-2007 (confidential)	300	F.R.E. 402 and 403 to the extent it addresses offense history
212	Bolte Quarterly Progress Report 10-13-2013	300	F.R.E. 402 and 403 to

	(confidential)		the extent it addresses offense history
213	Bolte Quarterly Progress Report 1-2-2014 (confidential)	300	F.R.E. 402 and 403 to the extent it addresses offense history
214	Bolte Quarterly Progress Report 4-25-2014 (confidential)	300	F.R.E. 402 and 403 to the extent it addresses offense history
215	Bolte Individual Treatment Plan 5-21-2012 (confidential)	300	F.R.E. 402 and 403 to the extent it addresses offense history
216	Bolte Individual Treatment Plan 5-20-2010 (confidential)	300	F.R.E. 402 and 403 to the extent it addresses offense history
217	Bolte Individual Treatment Plan 12-13-2012 (confidential)	300	F.R.E. 402 and 403 to the extent it addresses offense history
218	Bolte Polygraph Report 11-6-2013 (confidential)	300	F.R.E. 402 and 403 to the extent it addresses offense history
219	Bolte Annual Treatment Report 5-21-2012 (confidential)	300	F.R.E. 402 and 403 to the extent it addresses offense history
220	Bolte Annual Treatment Report 7-3-2013 (confidential)	300	F.R.E. 402 and 403 to the extent it addresses offense history
221	Bolte Annual Treatment Report 5-27-2014 (confidential)	300	F.R.E. 402 and 403 to the extent it addresses offense history
222	Steiner Admission of SP Petition and Waiver of Hearing	306	F.R.E. 402 and 403 to the extent it addresses offense history
223	Steiner Commitment Order	306	F.R.E. 402 and 403 to the extent it addresses offense history and 801, 802
224	Steiner Annual Treatment Report 2013 (confidential)	306	F.R.E. 402 and 403 to the extent it addresses offense history
225	Steiner Individual Treatment Plan 7-25-2014 (confidential)	306	F.R.E. 402 and 403 to the extent it addresses offense history
226	Steiner Quarterly Progress Report 4-15-2014 (confidential)	306	F.R.E. 402 and 403 to the extent it addresses offense history

227	Steiner Quarterly Progress Report 6-26-2014 (confidential) (Duplicate of DEF #226)	306	F.R.E. 402 and 403 to the extent it addresses offense history
228	Steiner Quarterly Progress Report 10-29-2014 (confidential)	306	F.R.E. 402 and 403 to the extent it addresses offense history
229	Steiner Annual Treatment Report 8-11-2014 (confidential)	306	F.R.E. 402 and 403 to the extent it addresses offense history
230	Steiner Maintenance Polygraph Report (confidential)	306	F.R.E. 402 and 403 to the extent it addresses offense history
231	Steiner PPG 8-13-2014 (confidential)	306	F.R.E. 402 and 403 to the extent it addresses offense history
232	Steiner Group Notes (Steiner Dep. Ex. 22) (confidential)	306	F.R.E. 402 and 403 to the extent it addresses offense history
233	Steiner Offense History Assignment (confidential)	306	F.R.E. 402 and 403 to the extent it addresses offense history
234	Braun Commitment Order 5-13-2000		F.R.E. 402, 403, 801, 802
235	Braun Examiner's Report 2-9-1998		F.R.E. 402, 403, 801, 802, FRCP 26 (improper attempt to submit expert testimony by a non-expert)
236	Braun Individual Treatment Plan 3-7-2014 (confidential)	301	F.R.E. 402 and 403 to the extent it addresses offense history
237	Braun Quarterly Progress Report 10-21-2014 (confidential)	301	F.R.E. 402 and 403 to the extent it addresses offense history
238	Braun Annual Treatment Report 4-30-2014 (confidential)	301	F.R.E. 402 and 403 to the extent it addresses offense history
239	Thuringer Commitment Order 2-25-2009		F.R.E. 402 and 403 to the extent it addresses offense history and 801, 802
240	Thuringer Individual Treatment Plan 10-2-2013 (confidential)	308	F.R.E. 402 and 403 to the extent it addresses offense history

241	Thuringer Quarterly Progress Report 4-11-2014 (confidential)	308	F.R.E. 402 and 403 to the extent it addresses offense history
242	Thuringer Quarterly Progress Report 6-6-2014 (confidential)	308	F.R.E. 402 and 403 to the extent it addresses offense history
243	Thuringer Quarterly Progress Report 9-17-2014 (confidential)	308	F.R.E. 402 and 403 to the extent it addresses offense history
244	Thuringer Annual Treatment Report 7-15-2014 (confidential)	308	F.R.E. 402 and 403 to the extent it addresses offense history
245	Thuringer Progress Notes I (Thuringer Dep. Ex. 12) (confidential)	308	F.R.E. 402 and 403 to the extent it addresses offense history
246	Thuringer Progress Notes II (Thuringer Dep. Ex. 13) (confidential)	308	F.R.E. 402 and 403 to the extent it addresses offense history
247	Thuringer Memos (Thuringer Dep. Ex. 14) (confidential)	308	F.R.E. 402 and 403 to the extent it addresses offense history
248	Thuringer Progress Note 10-18-2013 (confidential)	308	F.R.E. 402 and 403 to the extent it addresses offense history
249	Daywitt Initial Commitment Order 5-13-2009		F.R.E. 402, 403, 801, 802
250	Daywitt Order for Indefinite Commitment 9-22-2009		F.R.E. 402, 403, 801, 802
251	Daywitt Individual Treatment Plan 6-9-2013 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
252	Daywitt Quarterly Progress Report 9-23-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
253	Daywitt Quarterly Progress Report 5-9-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
254	Daywitt Quarterly Progress Report 12-19-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
255	Daywitt Annual Treatment Report 7-7-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
256	Daywitt Progress Notes I (Daywitt Dep. Ex. 27) (confidential)		F.R.E. 402 and 403 to the extent it addresses

			offense history
257	Daywitt Progress Notes II (Daywitt Dep. Ex. 28) (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
258	Daywitt Health Quarterly Assessment 12-13-2013 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
259	Daywitt Major BERs (Daywitt Dep. Ex. 2) (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
260	Foster Commitment Order 6-19-2007		F.R.E. 402, 403, 801, 802
261	Foster Commitment Order 5-14-2007		F.R.E. 402, 403, 801, 802
262	Foster Consent to Treatment 6-5-2007 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
263	Foster Individual Treatment Plan 2-14-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
264	Foster Quarterly Progress Report 8-14-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
265	Foster Quarterly Progress Report 5-23-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
266	Foster Quarterly Progress Report 6-16-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
267	Foster Annual Treatment Report 11-24-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
268	Foster Annual Treatment Report 1-10-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
269	Foster Group Progress Notes 2007-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
270	Foster BER 2-25-2011 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
271	Foster Psychological Assessment 5-2-2007 (confidential)		F.R.E. 402, 403, 801, 802
272	Hausfeld Commitment Order 3-25-1999		F.R.E. 402, 403, 801, 802

273	Hausfeld Individual Treatment Plan 10-9-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
274	Hausfeld Quarterly Progress Report 3-20-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
275	Hausfeld Quarterly Progress Report 7-11-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
276	Hausfeld Quarterly Progress Report 12-17-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
277	Hausfeld Letter from Persons 3-18-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
278	Hausfeld Neuropsychological Evaluation 4-8-2005 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
279	Hausfeld Neuropsychological Evaluation 4-8-2013 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
280	Hausfeld Progress Notes (Hausfeld Dep. Ex. 34) (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
281	Hausfeld Treatment Memo 7-26-2013 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
282	Hausfeld Annual Treatment Report 10-3-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
283	Hausfeld IPP 8-2-2013 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
284	Manahl Individual Treatment Plan 8-30-2013 (confidential)	304	F.R.E. 402 and 403 to the extent it addresses offense history
285	Manahl Quarterly Progress Report 10-3-2014 (confidential)	304	F.R.E. 402 and 403 to the extent it addresses offense history
286	Manahl Sex Offender Assessment 10-18-2013 (confidential)	304	F.R.E. 402 and 403 to the extent it addresses offense history
287	Michaels Individual Treatment Plan 5-12-2011 (confidential)	305	F.R.E. 402 and 403 to the extent it addresses offense history

288	Michaels Individual Treatment Plan 2-25-2013 (confidential)	305	F.R.E. 402 and 403 to the extent it addresses offense history
289	Michaels Annual Treatment Report 2-11-2012 (confidential)	305	F.R.E. 402 and 403 to the extent it addresses offense history
290	Karsjens Petition 10-20-2011 (confidential)	302	
291	Karsjens Risk Assessment 1-30-2014 (confidential)	302	F.R.E. 402 and 403 to the extent it addresses offense history
292	Karsjens SRB Treatment Report 2-22-2012 and Addendum (confidential)	302	F.R.E. 402 and 403 to the extent it addresses offense history
293	Karsjens SRB Report and Recommendation 3-28-2012 (confidential)	302	F.R.E. 402 and 403 to the extent it addresses offense history
294	Karsjens Psychosexual Evaluation 4-29-2013 (confidential)	302	F.R.E. 402 and 403 to the extent it addresses offense history
295	Karsjens SCAP Order 7-17-2013	302	F.R.E. 402 and 403 to the extent it addresses offense history
296	Karsjens v. Jesson, No. A13-1746, 2014 WL 902860 (Minn. App. Mar. 10, 2014)		F.R.E. 402, 403
297	Braun Petition Disposition 5-13-2008	301	F.R.E. 402 and 403 to the extent it addresses offense history
298	Braun Risk Assessment 4-2-2008 (confidential)	301	F.R.E. 402 and 403 to the extent it addresses offense history
299	Braun SRB Findings & Recommendation 4-28-2008 (confidential)	301	F.R.E. 402 and 403 to the extent it addresses offense history
300	Gamble Petition 7-2-2013		
301	Gamble Risk Assessment 2-24-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
302	Gamble SRB Treatment Report 2-11-2014 & Addendum (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
303	Gamble SRB Report and Recommendation 4-28-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
304	DeVillion SRB Report and Recommendation 2-16-1992 (confidential)		F.R.E. 402 and 403 to the extent it addresses

			offense history
305	DeVillion SCAP Order 4-15-1992		F.R.E. 402 and 403 to the extent it addresses offense history
306	DeVillion SRB Report and Recommendation 12-14-1992 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
307	DeVillion SRB Report and Recommendation 6-19-1995 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
308	DeVillion SRB Report and Recommendation 8-1-1996 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
309	DeVillion SRB Report and Recommendation 3-13-2001 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
310	DeVillion SCAP Order 11-25-2002		F.R.E. 402 and 403 to the extent it addresses offense history
311	DeVillion SCAP Order 10-9-2008		F.R.E. 402 and 403 to the extent it addresses offense history
312	DeVillion SCAP Order 2-26-2009		F.R.E. 402 and 403 to the extent it addresses offense history
313	DeVillion SRB Petition 11-7-2010 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
314	DeVillion SRB Packet 5-2-2011 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
315	DeVillion Risk Assessment 1-25-2011 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
316	DeVillion Risk Assessment Update 4-5-2011 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
317	DeVillion SRB Report and Recommendation 6-2-2011 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
318	DeVillion SCAP Examiner Assessment 11-29-2011 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
319	DeVillion SCAP Order 10-26-2012		F.R.E. 402 and 403 to the extent it addresses

			offense history
320	Lonergan SRB Petition 4-2-2010	303	
321	Lonergan SRB Petition 5-20-2013	303	
322	Lonergan Risk Assessment 10-5-2010 (confidential)	303	F.R.E. 402 and 403 to the extent it addresses offense history
323	Lonergan Risk Assessment 1-21-2014 (confidential)	303	F.R.E. 402 and 403 to the extent it addresses offense history
324	Lonergan SRB Treatment Report 1-22-2014 (confidential)	303	F.R.E. 402 and 403 to the extent it addresses offense history
325	Lonergan SRB Report and Recommendation 5-8- 2014 (confidential)	303	F.R.E. 402 and 403 to the extent it addresses offense history
326	Lonergan SRB Report and Recommendation 12-27- 2010 (confidential)	303	F.R.E. 402 and 403 to the extent it addresses offense history
327	Lonergan SCAP Order 3-23-2011	303	F.R.E. 402 and 403 to the extent it addresses offense history
328	Rud Petition 6-2-2013		
329	Rud Risk Assessment 3-17-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
330	Rud SRB Treatment Report 2-22-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
331	Rud SRB Report and Recommendation 4-10-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
332	Rud SCAP Order 8-15-2014		F.R.E. 402 and 403 to the extent it addresses offense history
333	Barber SCAP Order 7-1-2009	299	F.R.E. 402 and 403 to the extent it addresses offense history
334	Barber Petition 3-4-2004	299	
335	Barber Petition 2-4-2009	299	
336	Barber SCAP Order 5-26-2009	299	F.R.E. 402 and 403 to the extent it addresses offense history
337	Barber Petition 2-14-2010	299	
338	Barber SRB Report and Recommendation 9-29- 2010 (confidential)	299	F.R.E. 402 and 403 to the extent it addresses

			offense history
339	Barber SCAP Order 10-6-2011	299	F.R.E. 402 and 403 to the extent it addresses offense history
340	Barber Petition 5-23-2013	299	
341	Barber Risk Assessment 1-6-2014 (confidential)	299	F.R.E. 402 and 403 to the extent it addresses offense history
342	Barber SRB Treatment Report 1-6-2014 (confidential)	299	F.R.E. 402 and 403 to the extent it addresses offense history
343	Barber SRB Report and Recommendation 2-5-2014 (confidential)	299	F.R.E. 402 and 403 to the extent it addresses offense history
344	Steiner SRB Treatment Report 7-15-2004 (confidential)	306	F.R.E. 402 and 403 to the extent it addresses offense history
345	Steiner SRB Treatment Report 1-23-2008 (confidential)	306	F.R.E. 402 and 403 to the extent it addresses offense history
346	Steiner SRB Treatment Report 10-10-2012 and Addendum (confidential)	306	F.R.E. 402 and 403 to the extent it addresses offense history
347	Steiner Risk Assessment 9-20-2012 and Addendum (confidential)	306	F.R.E. 402 and 403 to the extent it addresses offense history
348	Steiner Petition 7-19-2012	306	
349	Steiner SRB Report and Recommendation 1-11-2013 (confidential)	306	F.R.E. 402 and 403 to the extent it addresses offense history
350	Steiner SCAP Order of Dismissal 4-14-2008	306	F.R.E. 402 and 403 to the extent it addresses offense history
351	Steiner SCAP Examiner Assessment 10-7-2014 (confidential)	306	F.R.E. 402 and 403 to the extent it addresses offense history
352	Daywitt Petition 5-22-2013		
353	Daywitt Treatment Report 12-30-2013 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
354	Daywitt Risk Assessment 1-28-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
355	Daywitt SRB Report and Recommendation 2-23-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses

			offense history
356	Daywitt Order Appointing Examiner 5-30-2014		F.R.E. 402 and 403 to the extent it addresses offense history
357	Foster Petition 10-29-2012		
358	Foster Risk Assessment 1-22-2013 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
359	Foster SRB Treatment Report 1-23-2013 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
360	Foster SRB Report and Recommendation 2-18-2013 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
361	Foster SCAP Examiner Assessment 1-22-2013 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
362	Foster SCAP Order 5-8-2014		F.R.E. 402 and 403 to the extent it addresses offense history
363	Foster v. Jesson, No. A14-1119, 2014 WL 7237372 (Minn. App. Dec. 22, 2014)		F.R.E. 402, 403
364	Hausfeld SRB Treatment Report 4-9-2006 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
365	Hausfeld SRB Report and Recommendation 5-7-2006 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
366	Hausfeld Examiner Assessment (Dr. Alberg) 12-8-2006 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
367	Hausfeld SCAP Order 1-19-2007		F.R.E. 402 and 403 to the extent it addresses offense history
368	Hausfeld Petition 7-30-2008		
369	Hausfeld SRB Treatment Report 5-21-2009 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
370	Hausfeld SRB Report and Recommendation 7-30-2009 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
371	Hausfeld Examiner Assessment (Dr. Alberg) 2-26-2010 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
372	Hausfeld SCAP Order 3-19-2010		F.R.E. 402 and 403 to

			the extent it addresses offense history
373	Hausfeld Petition 6-17-2011		
374	Hausfeld Risk Assessment 8-30-2011 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
375	Hausfeld SRB Report and Recommendation 11-21-2011 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
376	Hausfeld Examiner Report (Dr. Donchenko) 12-7-2012 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
377	Hausfeld SCAP Order 1-18-2013		F.R.E. 402 and 403 to the extent it addresses offense history
378	Hausfeld Petition 10-17-2013		
379	Hausfeld SRB Treatment Report 7-24-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
380	Hausfeld Risk Assessment 8-25-2014 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
381	Hausfeld SRB Report and Recommendation 9-22-201 (confidential)4		F.R.E. 402 and 403 to the extent it addresses offense history
382	Michaels SRB Treatment Report 4-15-2013 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
383	Michaels SRB Report and Recommendation 5-28-2013 (confidential)		F.R.E. 402 and 403 to the extent it addresses offense history
384	Karsjens Newsletter 5-4-2012		F.R.E. 402, 403, 801, 802
385	Karsjens Newsletter 12-9-2012		F.R.E. 402, 403, 801, 802
386	Karsjens Newsletter 3-30-2013		F.R.E. 402, 403, 801, 802
387	Karsjens Newsletter 12-25-2012		F.R.E. 402, 403, 801, 802
388	Karsjens Newsletter 2-20-2014		F.R.E. 402, 403, 801, 802

DEFENDANTS' OBJECTIONS TO PLAINTIFFS' EXHIBIT LIST

Defendants restate their objections described in their filed exhibit list on January 28. (Doc. 774, at 11-15.) With the Court's direction received later that day, (Doc. 809, at 4,) Defendants had just 36 hours to quickly review and object to Plaintiffs' final 308 exhibits while responding to Plaintiffs' 22 deposition designations (of available witnesses) and two motions in limine, while Plaintiffs had 8 days to review and object to Defendants' list. Thus, Defendants reserve the right to raise applicable objections at trial in addition to the objections identified below, which provide explanation and context to the objections identified in Plaintiffs' exhibit list filed today.

Defendants object to the exhibits identified in lines 18 and 130 of Plaintiffs' exhibit list on grounds attorney client privilege or work product protection. Subject to the order regarding privileged and confidential information dated September 18, 2014 (Doc. No. 602), Defendants request those documents' immediate sequestration or destruction pursuant to Fed. R. Civ. P. 26(b)(5)(b) and that order.

Defendants object to the following lines in Plaintiffs' exhibit list that don't describe a document that Defendants can review and consider for possible objection (e.g., "Christopher Thuringer Individual Tx Files," "MSOP Policies as of January 2012," ML April 29-May 1, 2014 and June 10-12, 2014 Site Visits"): 78, 155, 191, 194, 233, 243, 244, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308. Plaintiffs' lack of specificity make it impossible for Defendants to separately and individually object. Plaintiffs' failure, therefore, has forced Defendants to have to reserve their right to object.

Defendants object to the exhibits identified the following lines as irrelevant and unduly prejudicial under FRE 402 and 403 based on their time of creation being long before the relevant period in this case: 4, 5, 15, 25, 49, 56, 69, 81, 116, 118, 162, 164, 169, 187, 219, and 251.

Defendants object to the exhibits identified in the following lines to the extent they show, at most, issues regarding implementation of policies and are therefore not relevant to this official-capacity suit and inadmissible under FRE 402 or 403: 1, 6, 7, 12, 14, 16, 24, 26, 28, 33, 38, 39, 44, 45, 51, 55, 58, 60, 61, 62, 65, 66, 67, 69, 70, 71, 73, 74, 75, 91, 83, 87, 88, 91, 96, 98, 100, 102, 105, 106, 107, 108, 109, 112, 113, 114, 117, 119, 122, 125, 126, 127, 129, 130, 131, 134, 136, 138, 140, 144, 147, 148, 149, 180, 188, 220, 224, 232, 237, 253, 255, 259, 264, 265, 273, 274, 275, 276, 285, 290.

Defendants object to the exhibits identified in the following lines in Plaintiffs' list to the extent they involve subpopulations or individualized issues not applicable in this Rule 23(b)(2) class action: 7, 12, 14, 16, 24, 26, 82, 32, 33, 38, 39, 44, 45, 55, 58, 60, 61, 62, 65, 66, 67, 70, 75, 88, 93, 94, 96, 97, 104, 105, 106, 107, 108, 109, 112, 115, 117, 120, 129, 134, 138, 139, 140, 144, 146, 147, 148, 190, 199, 202, 212, 220, 224, 226, 232, 237, 259, 264, 265, 273, 274, 275, 276, 285, 290.

Defendants object to the exhibits identified in the following lines in Plaintiffs' list to the extent they are Task Force and settlement-related documented inadmissible under FRE 408, 402, 602, and 702: 35, 41, 269.

Defendants object to the following documents as otherwise containing hearsay, lacking foundation, and lacking relevance: 10, 27, 28, 51, 53, 57, 59, 61, 77, 85, 99, 139, 170, 172, 176, 192, 193, 227, 241, 260, 262, 267, 268, 269, 271, 281, 289.

Defendants object to the following documents filed or submitted by Plaintiffs in this litigation (e.g., their own Third Amended Complaint, their own interrogatory responses) as containing inadmissible hearsay: 36, 37, 101, 110, 111, 151, 152, 214, 215, 216, 238.

Dated: January 30, 2015.

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